

**EXHIBIT C**

**Business Tenant Survey**

## REAL ACCESS TENANT SURVEY

Final: 12 January 2001

Company: \_\_\_\_\_ Telephone #: \_\_\_\_\_

SIC: \_\_\_\_\_ State: \_\_\_\_\_

Hello! May I please be connected to the senior decision-maker for telecommunications services for this location? **This is not a sales call.**

### When connected . . .

Hello! This is \_\_\_\_\_ with KS&R Research. We're conducting research on the telecommunications services available to businesses located in multi-tenant commercial buildings. By telecommunications services we mean local and long distance telephone, Internet connections, satellite or wireless services. **This is not a sales call.**

S1. Is your business a tenant in a multi-tenant commercial building, i.e., a building where several businesses lease space?

1. Yes
2. No (**THANK & TERMINATE**)
3. Refused (**THANK & TERMINATE**)

S2. Are you the senior decision-maker for your business on the purchase of telecommunications services for this location?

1. Yes (**GO TO S3**)
2. No (**ASK TO BE REFERRED TO THE SENIOR DECISION-MAKER**)
3. Refused (**THANK & TERMINATE**)

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
PHONE: \_\_\_\_\_

S3. What is your title? **(DO NOT READ; SELECT ONE)**

1. President/CEO/Owner/Partner/Executive Director
2. Chief Operating Officer (COO)/VP of Operations/General Manager
3. CIO/Director of IS/IT
4. Telecom Director/Manager
5. CFO/Finance Director/VP of Finance
6. VP of Administration/Director of Administration
7. Business Director/Manager
8. Office Manager
9. Other \_\_\_\_\_
10. Refused **(THANK AND TERMINATE)**

S4. What is your company's primary line of business? **(READ AND ROTATE)**

1. Consulting
2. Construction
3. Education/Government/Not for Profit
4. Finance/Insurance/Real Estate
5. Healthcare
6. Leisure/Tourism/Lodging
7. Manufacturing
8. Professional Services
9. Retail Trade
10. Telecommunications **(THANK AND TERMINATE)**
11. Transportation/Utilities
12. Wholesale Trade
13. Other Service
14. Other, please specify: \_\_\_\_\_
15. Don't know **(DO NOT READ)**
16. Refused **(DO NOT READ)**

We are very interested in obtaining your opinions and have a brief survey that will take about 15 minutes of your time. **As I noted before, this is not a sales call and all of your responses will be treated confidentially.**

## LOCATION PROFILE

My first set of questions relate to your building location and tenure.

1. Is your office building located in a rural, suburban or urban area?
  1. Rural
  2. Suburban
  3. Urban
  4. Don't know (**DO NOT READ**)
  5. Refused (**DO NOT READ**)
2. How many floors are there in your building?
  1. \_\_\_\_\_ number of floors
  2. Don't know (**DO NOT READ**)
  3. Refused (**DO NOT READ**)
3. How long, in years, is the term of your current lease?
  1. \_\_\_\_\_ years
  2. Don't know (**DO NOT READ**)
  3. Refused (**DO NOT READ**)
4. How many years remain in that lease?
  1. \_\_\_\_\_ years
  2. Don't know (**DO NOT READ**)
  3. Refused (**DO NOT READ**)

## **TELECOM SERVICES PROFILE**

5. Which of the following telecommunications services or technologies do you currently use at this location? **(READ AND ROTATE; SELECT ALL THAT APPLY)**
1. Cable Modem
  2. DSL connection
  3. Email
  4. Internet access
  5. Local telephone service
  6. Long distance
  7. T1 connection or higher
  8. Videoconferencing
  9. Wireless telecom services
  10. None of the Above **(DO NOT READ)**
  11. Don't know **(DO NOT READ)**
  12. Refused **(DO NOT READ)**
6. How satisfied are you with the telecommunications services, including local telecommunications service, available at your current location? Would you say you are...**(READ)**
1. Very satisfied
  2. Somewhat satisfied
  3. Not at all satisfied
  4. Don't know **(DO NOT READ)**
  5. Refused **(DO NOT READ)**
7. Does your business have any telecommunications needs, including local telecommunications service, which are not being met at your current business location?
1. Yes
  2. No **(GO TO Q#10)**
  3. Don't know **(DO NOT READ; GO TO Q#10)**
  4. Refused **(DO NOT READ; GO TO Q#10)**

8. What are these telecommunications needs that are not being met at your current location?
1. Response given: \_\_\_\_\_
  2. Nothing (**GO TO Q#10**)
  3. Don't know (**DO NOT READ; GO TO Q#10**)
  4. Refused (**DO NOT READ; GO TO Q#10**)
9. How important to your business are these telecommunications needs that can't be met at your current business location? Would you say they are...(READ)
1. Very important
  2. Somewhat important
  3. Not at all important
  4. Don't know (**DO NOT READ**)
  5. Refused (**DO NOT READ**)
10. Are you aware that you can choose alternative telecommunications providers for the services provided by your local incumbent telephone company?
1. Yes
  2. No
  3. Don't know (**DO NOT READ**)
  4. Refused (**DO NOT READ**)
11. Have you placed one or more requests for service with a telecommunications provider, other than your incumbent local phone company, in the last three years?
1. Yes
  2. No (**GO TO Q#19**)
  3. Don't know (**DO NOT READ; GO TO Q#19**)
  4. Refused (**DO NOT READ; GO TO Q#19**)
12. Were these requests denied or accepted by the other telecommunications provider?
1. All accepted (**GO TO Q#14**)
  2. All denied
  3. Some accepted and some denied
  4. Don't know (**DO NOT READ; GO TO Q#18**)
  5. Refused (**DO NOT READ; GO TO Q#18**)

13. To the best of your knowledge, what were the reasons for the denied requests?
1. Response Given: \_\_\_\_\_
  2. Don't know
  3. Refused
- [ALL RESPONDENTS WHO SAID ALL DENIED IN Q#12, GO TO Q#18]**
14. For the requests that were accepted by the other telecommunications provider, did you receive service upon the date agreed?
1. Yes (**GO TO Q#17**)
  2. No
  3. Don't know (**DO NOT READ; GO TO Q#17**)
  4. Refused (**DO NOT READ; GO TO Q#17**)
15. To the best of your knowledge, what was the cause of the delay or failure to provide service?
1. Response Given: \_\_\_\_\_
  2. Don't know (**DO NOT READ**)
  3. Refused (**DO NOT READ**)
16. How long did it take to get the problem resolved?
1. \_\_\_\_ months
  2. Remains unresolved
  3. Don't know (**DO NOT READ**)
  4. Refused (DO NOT READ)
17. How satisfied are you with the quality of service you received from the other telecommunications provider? Would you say you are...(**READ**)
1. Very satisfied
  2. Somewhat satisfied
  3. Not at all satisfied
  4. Don't know (**DO NOT READ**)
  5. Refused (**DO NOT READ**)
18. How would you characterize your experiences with trying to obtain services from a telecommunications provider other than your incumbent local telephone company?
1. Response Given: \_\_\_\_\_
  2. Don't know (**DO NOT READ**)
  3. Refused (**DO NOT READ**)

19. Has your building management ever denied a request by your company to obtain telecommunications service from a provider not already serving your building?
1. Yes
  2. No (**GO TO Q#21**)
  3. Don't know (**DO NOT READ; GO TO Q#21**)
  4. Refused (**DO NOT READ; GO TO Q#21**)
20. To the best of your knowledge, what was the reason for your building management not allowing your company to obtain service from an alternative telecommunications service provider?
1. Response Given: \_\_\_\_\_
  2. Don't know
  3. Refused
21. If your important telecommunications needs were not being met at your current location, would your company consider changing locations, at lease renewal time, to a location that meets these needs?
1. Yes
  2. No
  3. Don't know (**DO NOT READ**)
  4. Refused (**DO NOT READ**)



## **BUSINESS PROFILE**

My last few questions are for background purposes only.

22. How many employees work for your company at this location? **(READ)**

1. 1-5
2. 6-10
3. 11-25
4. 26-50
5. 51-100
6. 101-500
7. 501-1,000
8. 1,001-5,000
9. more than 5,000
10. Don't know **(DO NOT READ)**
11. Refused **(DO NOT READ)**

23. How many locations does your company have in the U.S.? **(READ)**

1. 1 **(GO TO Q#25)**
2. 2
3. 3-5
4. 6-10
5. 11-25
6. 26-50
7. 51-100
8. more than 100
9. Don't know **(DO NOT READ)**
10. Refused **(DO NOT READ)**

24. And how many employees work for your company at all locations? **(READ)**

1. 1-5
2. 6-10
3. 11-25
4. 26-50
5. 51-100
6. 101-500
7. 501-1,000
8. 1,001-5,000
9. more than 5,000
10. Don't Know **(DO NOT READ)**
11. Refused **(DO NOT READ)**

25. What were your company's total annual sales for 2000? **(READ)**

1. less than \$100,000
2. \$100,000 to \$499,999
3. \$500,000 to \$999,999
4. \$1 to \$2.9 million
5. \$3 to \$4.9 million
6. \$5 to \$9.9 million
7. \$10 to \$19.9 million
8. \$20 to \$99 million
9. \$100 to \$499 million
10. \$500 to \$999 million
11. \$1 to \$4.9 billion
12. \$5 billion or more
13. Don't Know **(DO NOT READ)**
14. Refused **(DO NOT READ)**

That completes our survey. Thank you very much for your time.

## **Summary of Findings of Survey of Businesses in Multi-Tenant Commercial Buildings**

*February 21, 2001*

### ***Methodology***

SPR and KS&R jointly designed a survey instrument to ascertain the extent to which the telecommunications needs of businesses in multi-tenant buildings are being met in today's competitive market. The survey was conducted for a nationwide random sample of senior decision-makers for telecom services in businesses that are tenants of multi-tenant commercial buildings. KS&R conducted 12-15 minute telephone interviews between January 16<sup>th</sup> and January 26<sup>th</sup>, 2001. A 47 percent completion rate of qualified contacts yielded a total of 454 interviews (providing a 4.6 percent margin of error).

### ***Key Findings***

- *There are high levels of satisfaction with telecom services among tenants of multi-tenant commercial buildings and a low incidence of unmet needs.*

A wide range of telecommunications services is being utilized at respondent business locations. Among the most-often mentioned are local and long distance telephone service, Internet access, e-mail and broadband services. Satisfaction with these services is high, with 97 percent of respondents indicating they are at least somewhat satisfied.

About 94 percent of respondents indicated that the telecommunications services currently being offered, including local telephone service, meet their needs at their current business location. Among the important needs that are not being met to a small portion of the market are DSL and other Internet connections.

- *There is high awareness of alternative telecommunications providers.*

Nearly all respondents (91 percent) indicated they are aware that they can choose alternative telecommunications providers for the services provided by their local incumbent telephone company.

- *A substantial percentage of businesses requested telecommunications services from alternative providers. The vast majority of requests have been accepted and installed on schedule.*

One in four respondents (23 percent) indicated that their businesses have each placed at least one request for service with a telecommunications provider, other than their local incumbent

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telephone company, in the last three years. A significant majority of these businesses (87 percent) have had all of their service requests accepted. Among those whose business' requests were accepted, 87 percent indicated the service was received upon the date agreed, and 90 percent were at least somewhat satisfied with the quality of service from the other telecommunications providers.

➤ *Building management is rarely identified as having denied service requests.*

Less than one percent of respondents indicated that the management of their buildings ever denied their requests for telecommunications service from a provider not already serving their building.

➤ *Four-out-of-ten businesses will consider moving elsewhere at lease renewal if important telecommunications needs aren't being met at their current location.*

If important telecommunications are not being met, 39 percent indicated they would consider changing business locations at lease renewal time. Additionally, the average lease length among the respondents is 3.6 years, with an average of 2 years remaining at the time of the survey. These data suggest that commercial tenants are indeed mobile.

### ***Building Characteristics***

About one half (53 percent) of the respondents are located in buildings in urban areas, one third (34 percent) in suburban areas, and the remaining respondents (13 percent) in rural areas. The mean size of buildings reflected in the sample is 3.6 floors.

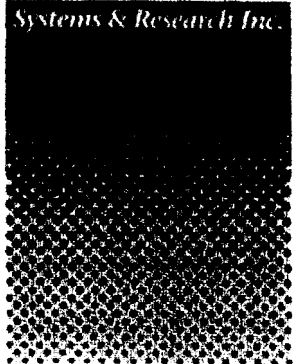
### ***Respondent Profile***

A variety of industries are represented in the sample, with 23 percent involved in retail trade, 16 percent in professional services, 13 percent in finance/insurance/real estate and 11 percent in healthcare. Respondents ranged from companies with a single location and fewer than 5 employees to companies with multiple locations and more than 1,000 employees.



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Systems & Research Inc.



# ACCESS TO TELECOMMUNICATIONS SERVICES

## *Commercial Tenant Survey Findings*

February 21, 2001

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# *Table of Contents*

- **TAB 1: *Introduction***
- **TAB 2: *Telecommunications Services Needs***
- **TAB 3: *Alternative Providers - Awareness & Requests***
- **TAB 4: *Business Profile***

# **TAB 1:**

## **Introduction**

- **Methodology**
- **Key Findings**

- Telephone survey conducted of senior decision-makers for telecommunications services in businesses that are tenants of multi-tenant commercial buildings.
- Survey designed to understand telecommunications services needs and availability.
- Nationwide random business sample used for purposes of reaching potential respondents.
- Respondents screened to ensure appropriate decision-making role for the business location called and to ensure business is located in multi-tenant location (15 percent incidence).
- Pre-test conducted with 40 respondents to test for survey flow, language and length.
- 454 12-15 minute interviews completed between January 16 and January 26, 2001 (margin of error:  $\pm 4.6\%$ ).
- Completion rate of 47 percent on contacts not disqualified.
- Survey responses tabulated and findings presented herein.



## *Key Findings*

- There are high levels of satisfaction with telecom services among tenants of multi-tenant commercial buildings and a low incidence of unmet needs.
- There is high awareness of alternative telecommunications providers.
- A substantial percentage of businesses have made requests from alternative providers and the vast majority of requests have been accepted and installed on schedule.
- Less than 1 percent of respondents indicate building management has ever denied a request by their company to obtain telecom service from an alternative provider.
- Four-out-of-ten businesses will consider moving elsewhere at lease renewal if their important telecommunications needs aren't met at their current location.

## **TAB 2:**

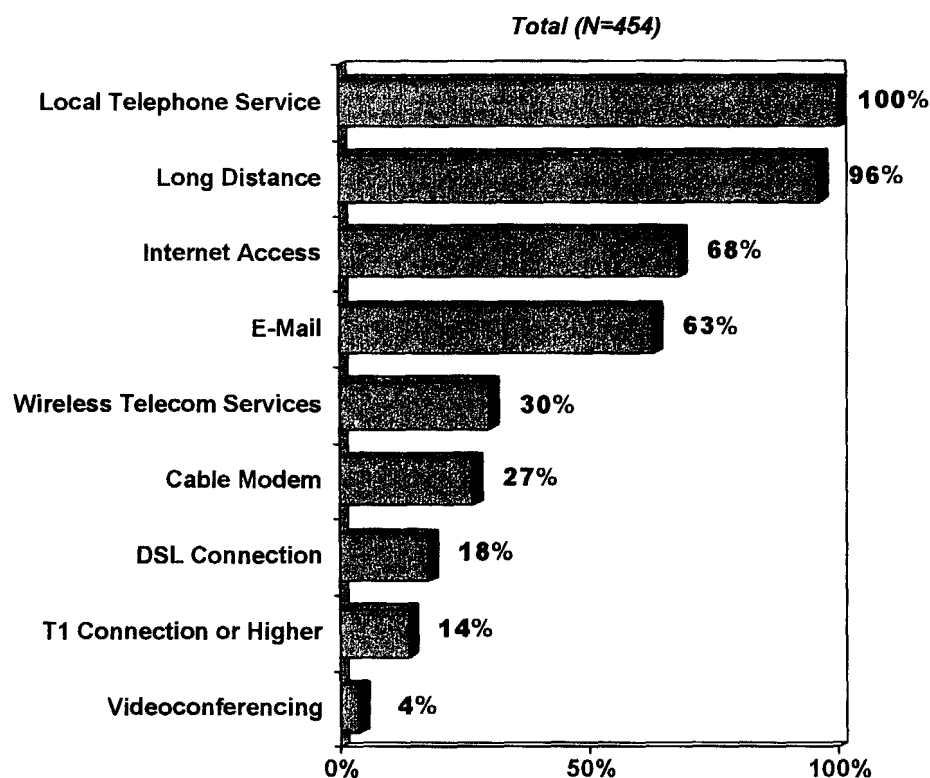
# **Telecommunications Services Needs**

- Telecom Services/Technologies Currently Used
- Satisfaction With Telecom Services
- Telecom Needs Not Being Met
- Importance of Telecom Needs Not Being Met

## Telecom Services/Technologies Currently Used

- ❶ In addition to local telephone and long distance services, there is high penetration of Internet access, e-mail and broadband services.

***"Which of the Following Telecommunications Services or Technologies Do You Currently Use at This Location?"***  
(Aided, Multiple Response)

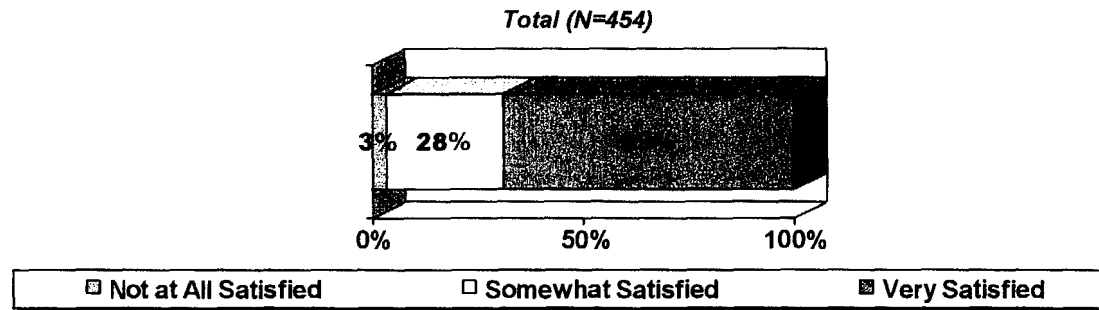


Question 5

## *Satisfaction With Telecom Services*

- ① Nearly all indicate they are satisfied with the telecommunications services currently available at their location.

***"How Satisfied Are You With the Telecommunications Services, Including Local Telecommunications Service, Available at Your Current Location?"***

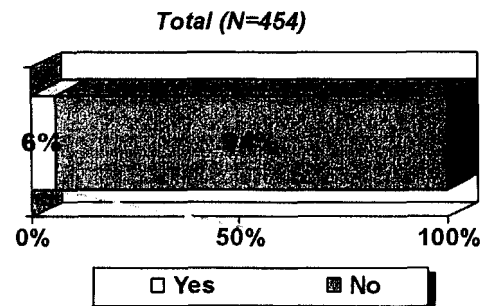


Question 6

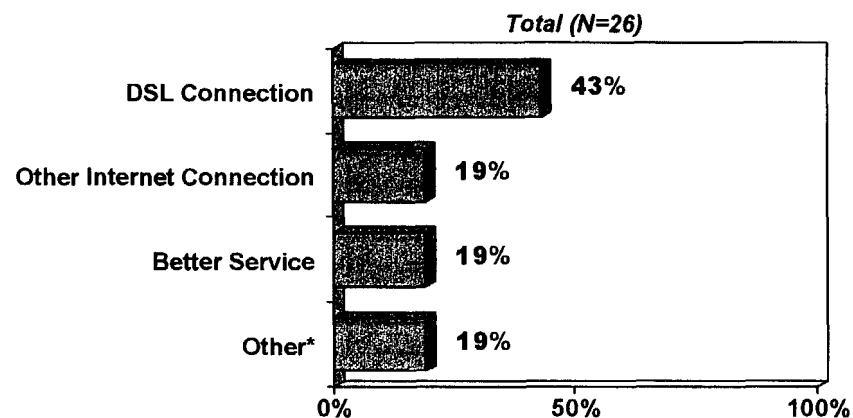
## Telecom Needs Not Being Met

- ① One-out-of-seventeen indicate they have telecommunications needs not currently being met at their location.
- ② DSL connection or some form of Internet connection are most often mentioned as a need not being met.

***“Does Your Business Have Any Telecommunications Needs, Including Local Telecommunications Service, Which Are Not Being Met at Your Current Business Location?”***



***“What Are These Telecommunications Needs That Are Not Being Met at Your Location?”***



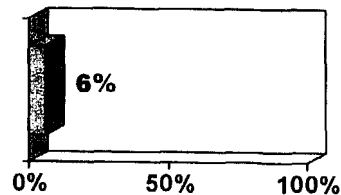
Questions 7,8

\* Other includes remote access, voice messaging, LAN.

## Importance of Telecom Needs Not Being Met

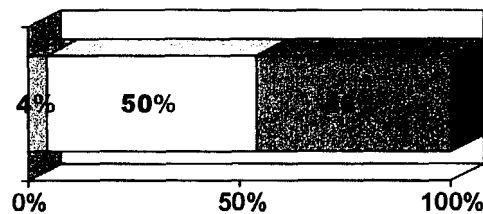
- ① Nearly all who have telecommunications needs that can't be met at their location say they are important.

% Indicating Unmet Needs  
(N=454)



**"How Important to Your Business Are These Telecommunications Needs That Can't Be Met at Your Current Business Location?"\***

Total (N=26)



☒ Not at All Important    ☐ Somewhat Important    ☒ Very Important

Question 9

\* Of those whose needs are not currently being met.

## **TAB 3:**

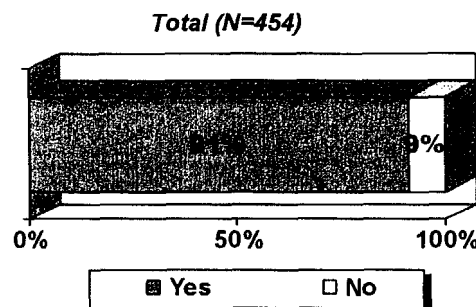
# **Alternative Providers - Awareness & Requests**

- **Alternative Telecom Providers**
- **Alternative Provider Requests**
- **Timing of Accepted Requests**
- **Experiences With Alternative Provider**
- **Denied Requests**
- **Propensity to Change Locations**

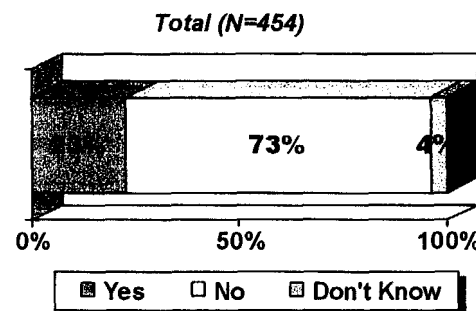
## Alternative Telecom Providers

- ① Nine-out-of-ten business decision-makers are aware they can choose alternative telecom providers to the local incumbent company.
- ② Nearly one-out-of-four have placed one or more requests for services with an alternative telecom provider in the last three years.

***“Are You Aware That You Can Choose Alternative Telecommunications Providers for the Services Provided by Your Local Incumbent Telephone Company?”***



***“Have You Placed One or More Requests for Service With a Telecommunications Provider, Other Than Your Incumbent Local Phone Company, in the Last Three Years?”***

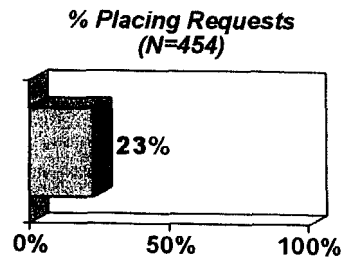


Questions 10,11

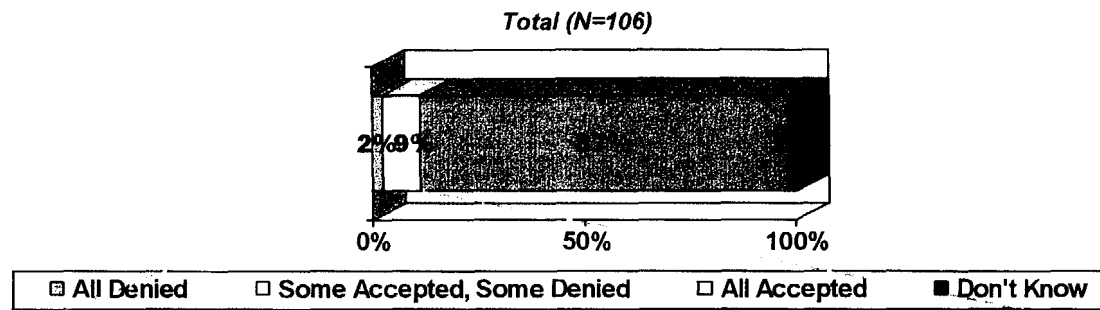


## Alternative Provider Requests

- ① Nine-out-of-ten who have placed requests indicate they have been accepted.
- ② Reasons for denied requests include service didn't meet needs, service not available and price.



***"Were These Requests Denied or Accepted  
by the Other Telecommunications Provider?"\****



***"To the Best of Your Knowledge, What Were the Reasons for the Denied Requests?"  
(Unaided, Verbatims)***

***Total (N=10)***

- ***"Not sure that my concerns about local calls were met."***
- ***"They are still working on it. It has been three months now. I don't know why it is so slow."***
- ***"DSL not available yet."***
- ***"They said I would have to contact my local carrier for these services."***
- ***"Because they have a contract with Ameritech and they will not service this specific area. They won't compete with them."***
- ***"MCI is a bad company. They sent us bills for 800 numbers that we didn't want."***
- ***"No telecom services."***
- ***"It wasn't a better deal."***
- ***"Price."***
- ***"Too expensive."***

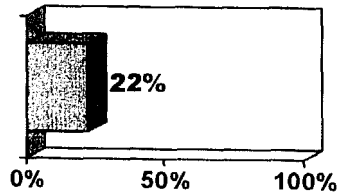
Questions 12,13

\* Of those who placed a request in the last three years.

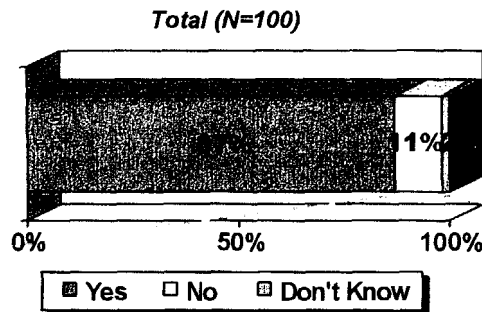
## Timing of Accepted Requests

- ① For those with requests accepted, most received service by the date agreed upon.
- ② Of those who didn't receive service on time, reasons for the delay include service and communication issues.
- ③ Problem resolution took an average of 1.75 months, though 18% indicate their problem remains unresolved.

% With Accepted Requests  
(N=454)



**"For the Requests That Were Accepted by the Other Telecommunications Provider, Did You Receive Service Upon the Date Agreed?"\***



**"To the Best of Your Knowledge, What Was the Cause of Delay or Failure to Provide Service?"\***

(Unaided, Verbatims)

Total (N=10)

- "All services we tried were unsatisfactory."
- "Customer service."
- "Do not always show up."
- "Fault of the local company – A billing problem."
- "I have no idea. They delayed me for a week."
- "They oversold their services."
- "The sales person says they have not contacted him, and he has not gotten back to me."
- "There are too many subcontractors and they can't seem to get organized with their scheduling."
- "They were morons."

**"How Long Did it Take to Get the Problem Resolved?"\***

(In Months)

Total (N=10)

- Mean: 1.75 Months
- Median: 1 Months
- 18% indicate problem remains unresolved and 9% refused to answer

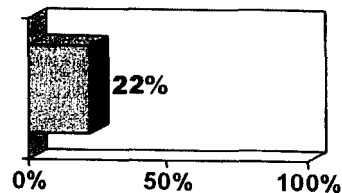
Questions 14,15,16

\* Of those who had a request accepted in the last three years.

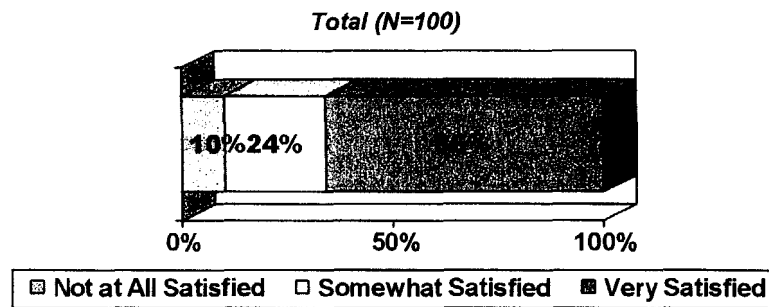
## Experiences With Alternative Provider

- ① Nine-out-of-ten of those with accepted requests are satisfied with the quality of service they received from the other telecom provider.
- ② Experiences with other telecom providers is most often characterized as excellent/good and easy/smooth, though one-out-of-ten had negative characterizations.

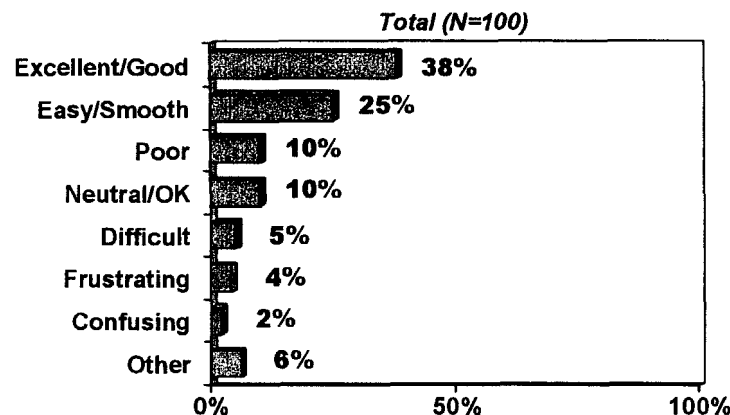
% With Accepted Requests  
(N=454)



**"How Satisfied Are You With the Quality of Service You Received From the Other Telecommunications Provider?"\***



**"How Would You Characterize Your Experiences With Trying to Obtain Services From a Telecommunications Provider Other Than Your Incumbent Local Telephone Company?"\***  
(Unaided)



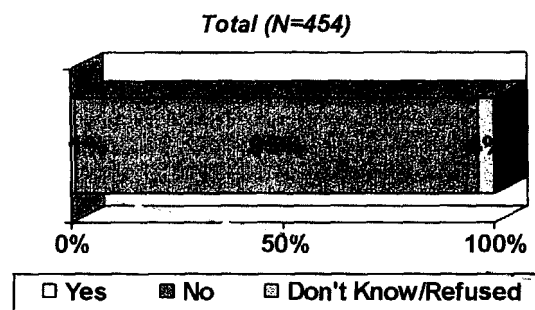
Questions 17,18

\* Of those who had a request accepted in the last three years.

## Denied Requests

- ❶ Less than 1 percent indicate building management has ever denied a request by their company to obtain telecom service from an alternative provider.

***"Has Your Building Management Ever Denied a Request by Your Company to Obtain Telecommunications Service From a Provider Not Already Serving Your Building?"***



***"To the Best of Your Knowledge, What Was the Reason for Your Building Management Not Allowing Your Company to Obtain Service From an Alternative Telecommunications Service Provider?"***

*(Unaided, Verbatims)*

Total (N=3)

- *"They already programmed something else."*
- *"Just local lines."*
- *"When my wife owned the business they refused certain services."*

Questions 19,20

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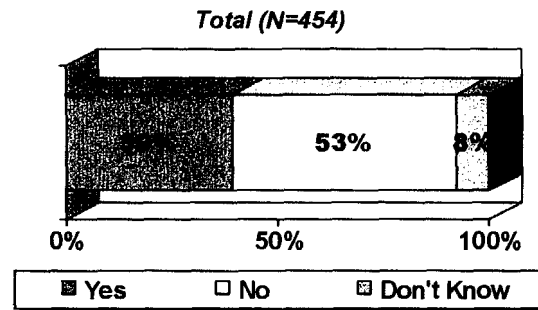
Systems & Research, Inc.

STRATEGIC  
POLICY  
RESEARCH

## Propensity to Change Locations

- ① Four-out-of-ten indicate their company would consider changing locations at lease renewal if their important telecom needs were not being met at their current locations.

***“If Your Important Telecommunications Needs Were Not Being Met at Your Current Location, Would Your Company Consider Changing Locations, at Lease Renewal Time, to a Location That Meets These Needs?”***



Question 21

## **TAB 4:**

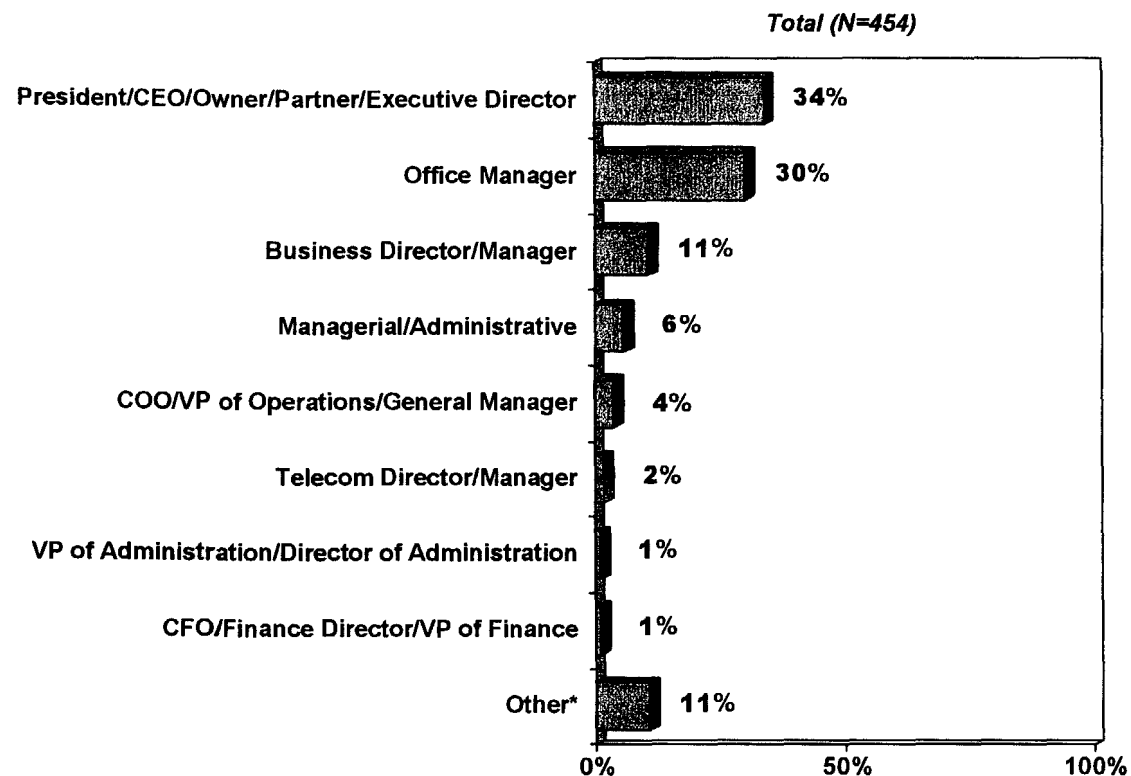
# **Business Profile**

- **Respondent Title**
- **Line of Business**
- **Location Profile**
- **U.S. Locations**
- **Employees at Location**
- **Employees at All Locations**
- **Total 2000 Sales**

## Respondent Title

① Respondent titles most often interviewed were President/CEO/Owner/Executive Director and Office Manager.

### "What Is Your Title?"



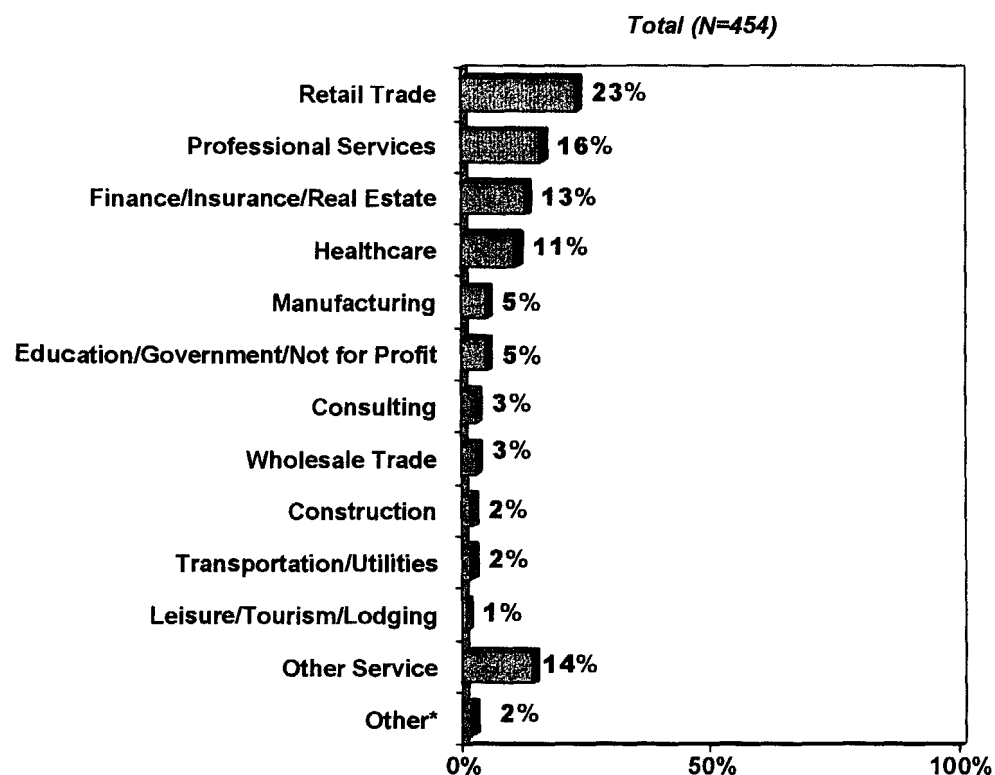
Question S3

\* Other includes CIO/Director of IS/IT, Clerical, Sales.

## Line of Business

- ① Industries are broadly represented, based on their tendency to locate in multi-tenant buildings.

### "What Is Your Company's Primary Line of Business?"



Question S4

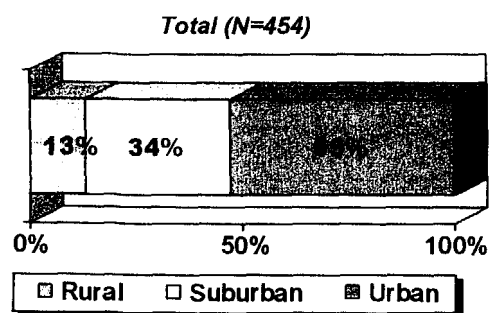
\* Other includes engineering.



## Location Profile

- ❶ Over one-half of respondent buildings located in urban areas.
- ❷ The average number of floors in respondent buildings is 3.6 floors.
- ❸ The average term of respondent company leases is 3.6 years, with an average of 2.1 years remaining in the lease.

### ***"Is Your Office Building Located in a Rural, Suburban or Urban Area?"***



### ***"How Long, in Years, Is the Term of Your Current Lease?"***

Total (N=454)

- Mean = 3.6 Years
- Median = 3 Years
- % Don't Know/Refused: 25%

### ***"How Many Floors Are There in Your Building?"***

Total (N=454)

- Mean = 3.6 Floors
- Median = 2 Floors
- % Don't Know/Refused: 00%

### ***"How Many Years Remain in That Lease?"***

Total (N=454)

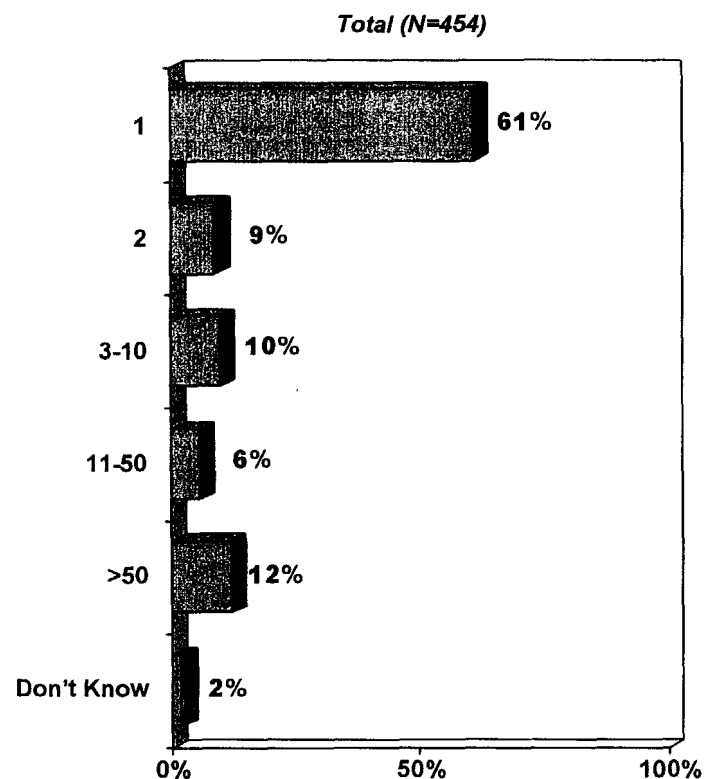
- Mean = 2.1 Years
- Median = 1 Years
- % Don't Know/Refused: 32%

Questions 1,2,3,4

## U.S. Locations

- ① Six-out-of-ten companies are single location.
- ② More than one-in-ten have more than 50 locations in the U.S.

***"How Many Locations Does Your Company Have in the U.S.?"***

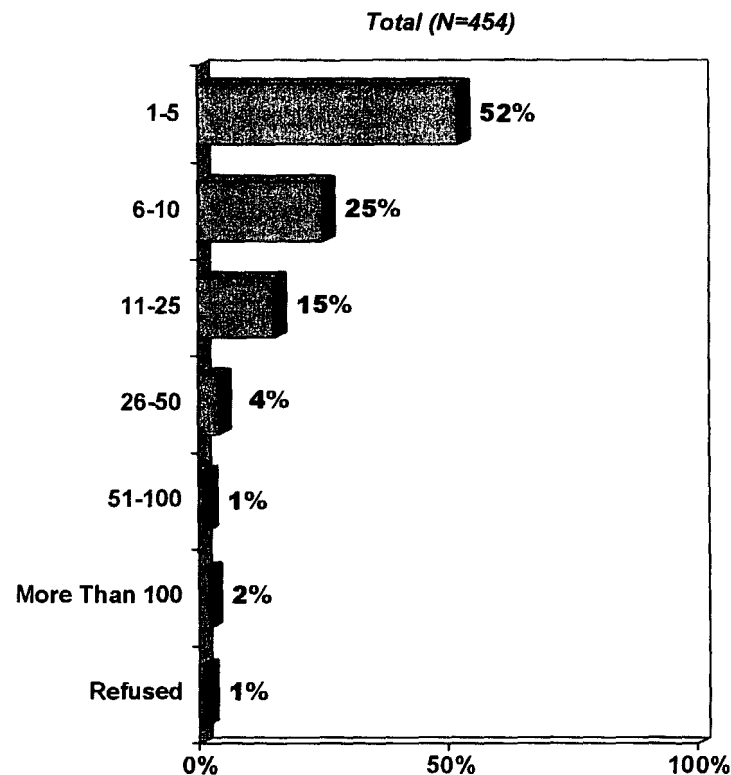


Question 23

## Employees at Location

- ❶ More than three-quarters of respondent companies employ 10 or fewer people at this location.

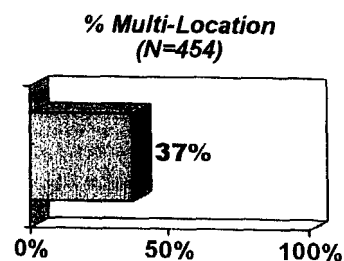
*"How Many Employees Work for Your Company at This Location?"*



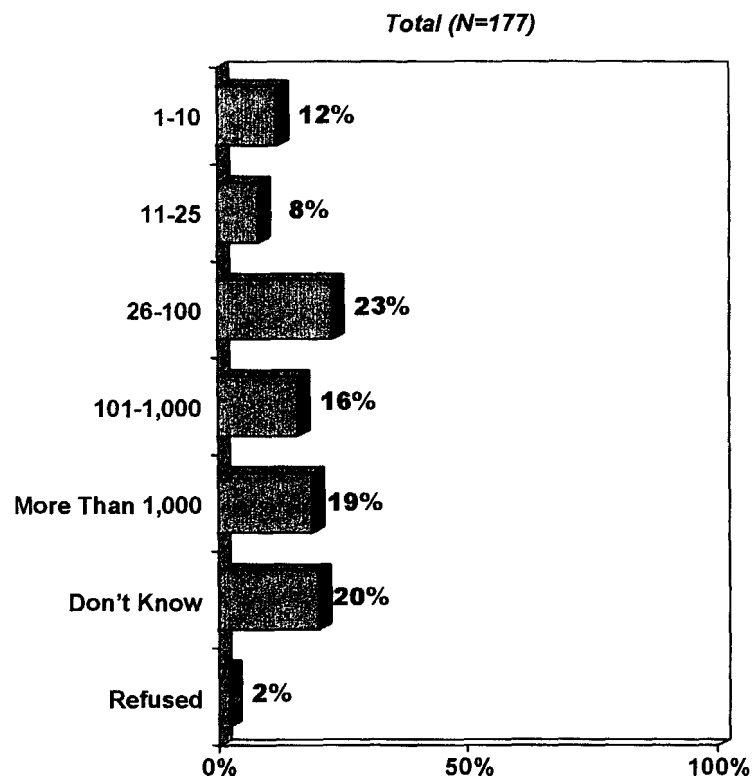
Question 22

## Employees at All Locations

- ① Among multi-location businesses, nearly one-fifth indicated their company has greater than 1,000 employees.
- ② One-fifth did not know how many employees work for their company at all locations.



### "How Many Employees Work for Your Company at All Locations?"\*



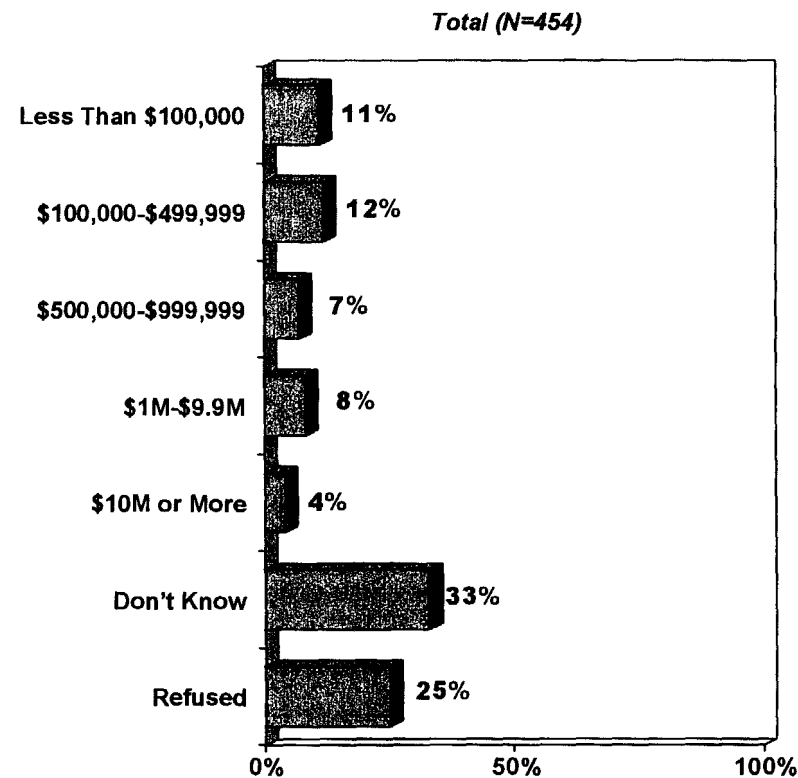
Question 24

\*Of those whose company has multiple locations in the U.S.

## Total 2000 Sales

- ① Most respondents that provided information on annual sales reported these at under \$1 million.
- ② One-third did not know their company's annual sales and one-quarter refused to answer.

**"What Were Your Company's Total Annual Sales for 2000?"**



Question 25

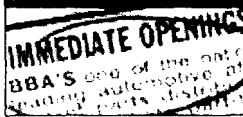
**EXHIBIT D**

**Boston Globe Article**

# Archives

Exhibit D

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## SWEETHEART DEALS SAID TO LIMIT CHOICES FOR NET, PHONE, CABLE

**Author:** By Bruce Mohl and Patricia Wen, Globe Staff **Date:**

01/30/2000 **Page:** B2 **Section:** Metro/Region

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CONSUMER BEAT / BRUCE MOHL and PATRICIA WEN

Simply because they live in apartments, some Greater Boston residents are finding that they are cut off from the telecommunications revolution, and thus are left with only one choice when it comes to local phone, Internet, or cable television service.

Cronin's Landing in Waltham is a perfect example. Because of a deal cut by the apartment complex's original developer, tenants paying a monthly rent of \$1,400 to \$3,200 say their only option is RCN Corp. They say their inability to switch to competitors such as Bell Atlantic or MediaOne is a major reason why RCN is indifferent to their complaints about poor service.

"In this world of many options and personal choice, can it be possible for us to be forced to use a carrier that doesn't satisfy our needs?" asked Dale Katzif, a tenant at Cronin's Landing who said her RCN Internet service is unreliable.

It's not only possible, it's happening at many apartment buildings in the area and across the country. RCN officials insist that the service problems at Cronin's Landing are unique, and say nothing is preventing competitors from vying for customers there.

But those competitors, chiefly Bell Atlantic and MediaOne, say RCN's sweetheart deals with building owners are thwarting competition. Bell Atlantic officials say the exclusivity arrangements are widespread. The Village at Bear Landing in Waltham and a community housing project in Mission Hill are two other examples where RCN is the only choice available.

A handful of states have passed laws requiring apartment and office buildings to offer access to all telecommunications providers. Massachusetts laws are fuzzy on the issue, which is why the state Department of Telecommunications and Energy is investigating what, if anything, it can do to promote competition.

The Cronin's Landing situation is an awkward one for RCN. The brash young company from Princeton, N.J., prides itself on attacking the entrenched telecommunications monopolies, but at Cronin's Landing, it has in effect become one.

"The customer service at RCN has been nothing short of horrendous, and if we had any choice of phone, cable or Internet providers in our building we would have switched months ago," said Eric G. Pressman, a tenant at Cronin's Landing who has been one of the most vocal complainers.

Ken Roberts, another tenant, said he has had RCN technicians out to his apartment seven times since he moved in around Labor Day, and each time they have given him a different explanation about why the reception on his 50-inch television is so bad. He is refusing to pay his bill until RCN fixes the problem, and is considering installing a satellite dish.

Officials with Virginia-based Charles E. Smith Co., which bought Cronin's Landing from the developer in 1998, have told tenants there is little they can do. They have said the RCN contract, which was negotiated by the developer, is long-term and is difficult to break.

"We understand the problems that the residents are having and are sympathetic to them," a spokesman for Charles E. Smith said. "We have been disappointed with the rate of improvement by the service provider and we are doing everything we can to improve the situation."

Valerie Haertel, an RCN spokeswoman, said the service issues at Cronin's Landing have arisen primarily because the company had to start servicing the building before its network in Waltham was fully completed. Haertel said RCN has had to rely on another supplier's network, which lacks sufficient bandwidth, and it has had to take its cable TV signal from faraway RCN facilities in South Boston. Service quality has suffered as a result. "The service will definitely improve once it originates from the Waltham site," she said, adding that the transfer is still several months away.

"Our customer service is not where we want it to be," Haertel said. "We're growing so fast and hiring so many people that it's hard to keep up."

As for suggestions that RCN is acting like the monopolies it mocks, Haertel said that's simply not true. She said RCN won the right to wire and service Cronin's Landing by offering to share telecommunications revenue from the building with the owner, something Bell Atlantic and Media One were unwilling to do. She said Bell Atlantic and MediaOne could still provide service to tenants at Cronin's Landing by leasing RCN's wires.

"It's their choice not to service this building," Haertel said.

Bell Atlantic and MediaOne officials say that wiring a new building like Cronin's Landing is not economically viable, but they haven't pursued the leasing option. A Bell Atlantic spokesman said the company does not lease wires from landlords or other companies. A MediaOne spokesman said the company may explore the leasing option.